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PATENT
Customer No. 22,852
Attorney Docket No. 3327.2062-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Akihiro SUZUKI et al.) Group Art Unit: 2624
Application No.: 09/364,070) Examiner: King Y. Poon
Filed: July 30, 1999)
For: JOB SCHEDULING SYSTEM FOR)
PRINT PROCESSING)

Commissioner for Patents
Washington, DC 20231

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Sir:

RESPONSE

In an Office Action dated January 16, 2002, the Examiner rejected all pending claims 1-6, 15, and 16. The Examiner rejected claims 1, 3, 4, 15, and 16 under 35 U.S.C. § 102(e) as being anticipated by *Sugiura et al.* (USPN 6,047,111). The Examiner rejected claim 6 under 35 U.S.C. § 102(b) as being anticipated by *Lobiondo* (USPN 5,287,194). The Examiner rejected claim 2 under 35 U.S.C. § 103(a) as being unpatenable over *Sugiura et al.* in view of *Rourke et al.* (USPN 5,398,289). And, the Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatenable over *Sugiura et al.* in view of *Nezu* (USPN 5,638,511).

The Examiner rejected claims 1, 3, 4, 15, and 16 under 35 U.S.C. § 102(e) as being anticipated by *Sugiura et al.* The Examiner maintains that *Sugiura et al.* discloses each element of Applicants' claims. Claim 1 of applicants' invention claims "output

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result control means which . . . controls the processing request issued to the job execution section in such a way that a specified number of copies of the job are output using the information which specifies a job output method." While the examiner points to figure 10c of *Sugiura et al.* as disclosing this element, the applicants' can find no indication that this reference discloses or suggests that "a specified number of copies of the job are output." Because *Sugiura et al.* fails to disclose each and every element of applicant's claimed invention, this claim is patentable over the cited prior art. Applicants respectfully submit that they have successfully traversed this rejection with regard to claim 1, and therefore request withdrawal of the rejection.

With regard to claims 3 and 4, *Sugiura et al.* fails to disclose output result control means in a job scheduling device which controls the output result according to the processing start/completion wait state of the jobs. Regarding claim 3, while many elements of the claim are missing in *Sugiura et al.*, in particular *Sugiura et al.* fails to disclose the prevention of the issuance of a processing request until the job in the processing start wait state "is released from the processing start wait state by a user's instruction or a timeout." Regarding claim 4, once again many aspects of the claim are missing from *Sugiura et al.*, but particularly *Sugiura et al.* fails to disclose the issuance of a processing request until the job in the processing completion wait state "is released from the processing completion wait state by a user's instruction or a timeout." While the applicants have studied the examiner's assertions as to where these elements might be found in *Sugiura et al.*, *Sugiura et al.* truly appears to be lacking in such teachings. In general, *Sugiura et al.* is a thin disclosure that fails to disclose with sufficient detail many of its general assertions, and, regarding wait states, only teaches waiting on jobs

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until such time as necessary paper is present or the job has been fully acquired. Because *Sugiura et al.* fails to disclose each element of applicants' claims 3 and 4, these claims are patentable over the prior art of record, and applicants respectfully submit that they have successfully traversed this rejection and request withdrawal of the rejection.

Regarding claims 15 and 16, *Sugiura et al.* fails to disclose a job scheduling device as claimed. Although the Examiner maintains that a scheduling means is disclosed in *Sugiura et al.* in column 8, lines 10-30, Applicants cannot find the disclosure of any such scheduling means within this part or any part of the application. In particular, regarding claim 15, *Sugiura et al.* fails to disclose the recovery means of applicants claimed invention. While the examiner maintains that the recovery means of *Sugiura et al.* discloses a recovery means in that printing for host A requires A3 size paper with size A4 paper in the hopper, this does not disclose the recovery means of applicants' invention. In addition, regarding claim 16, *Sugiura et al.* fails to disclose the attribute modifying means of applicants' claimed invention. The examiner maintains that column 10, lines 60-65 of *Sugiura et al.* corresponds to the attribute modifying means of applicants' claim. However, this description only mentions a pattern setup for printing out in each logical printer. So, the attribute modifying means of claim 16 is not taught. Therefore, applicants respectfully submit that they have successfully traversed this rejection, and claims 15 and 16 are allowable over the prior art of record.

The Examiner rejected claim 6 under 35 U.S.C. § 102(b) as being anticipated by *Lobiondo*. *Lobiondo* is directed to a method of allocating print jobs to a plurality of printers through the network system. *Lobiondo* fails to disclose terminal equipment

comprising "attribute information adding means for adding information relating to job weight control," or a job scheduling device comprising "control state setting means which, if weight control is set to the job information stored in said queue, renders a job associated with that job information in a weight control state when processing of that job is started or completed." There is no disclosure in *Lobiondo* of weight control, as described and used in claim 6 of the present application. Weight control may include, for example, "a processing start weight, a processing completion weight, and a password input weight." (Page 55 of application.) In the portion of *Lobiondo* pointed to by the Examiner, specifically column 3, lines 50-63, Applicants can find no mention of weight control as used in Applicants' claim 6. Therefore, because *Lobiondo* fails to disclose each and every element of Applicants' claim 6, Applicants respectfully request the Examiner to allow claim 6.

The Examiner rejected claim 2 under 35 U.S.C. § 103(a) as being unpatenable over *Sugiura et al.* in view of *Rourke et al.* Neither reference discloses, teaches, or suggests, either alone or in combination, "a queue for storing, as a job, a group of items of the information for specifying a job and a document." In addition, neither reference discloses, teaches, or suggests, either alone or in combination an "output result control means . . . in such a way that a specified number of copies of the job are only output in a collated manner if collation processing is specified" Because neither *Sugiura et al.* nor *Rourke et al.*, either alone or in combination, disclose each and every element of claim 2, Applicants respectfully request the Examiner to withdraw the rejection of claim 2 and allow this claim.

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The Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over *Sugiura et al.* in view of *Nezu*. However, neither *Sugiura et al.* nor *Nezu*, either alone or in combination, disclose, teach or suggest a job scheduling device as claimed. Specifically, neither reference addresses the applicants' claimed limitation that "when a job is placed in the password input wait state, prevents the issue of processing requests with respect to a document of that job and documents of subsequent jobs until that job is released from the password input wait state by a user's instruction or a timeout. Because neither *Sugiura et al.* nor *Nezu*, either alone or in combination, disclose each and every element of Applicants' claimed invention, Applicants respectfully request the Examiner to allow claim 5.

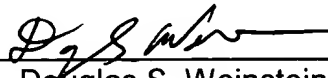
In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: April 16, 2002

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